

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 11, 2003 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #2018
U-Stop flagpole

PROPOSAL: Erect a 100' tall flag pole to display a 50' x 30' American flag. Such a flag pole will exceed the maximum height of the zoning district, therefore, a special permit is required.

LOCATION: N. 84th Street and Hwy. 6

LAND AREA: 2.4 acres

CONCLUSION: This request is consistent with the requirements of the Zoning Ordinance and Design Standards.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION:

Lot 23 I.T., located in the SE 1/4 of Section 34-11-7, Lancaster County, Nebraska.

EXISTING ZONING: I-1 industrial

EXISTING LAND USE: Convenience food store/service station.

SURROUNDING LAND USE AND ZONING:

North:	US Highway 6	I-1 Industrial
	Agriculture	AG Agriculture
South:	Substation	P Public
	Vacant	I-1 Industrial
East:	Warehouse	I-1 Industrial
	Vacant	I-1 Industrial
West:	Vacant	I-1 Industrial

HISTORY:

(Includes similar applications that have been approved, for reference.)

- Oct 2002 Special Permit #1987 approved to allow a 100' flag pole at approximately 1st and West "O" Streets. The applicant for Special Permit #1987 is the same as the applicant for this application.
- Nov 2001 Special Permit #10131 approved an 80' flag pole for the display of an American flag at approximately South 56th Street and Waltz Road.
- May 1979 The zoning update changed this property from K Light Industrial to I-1 Industrial.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Land Use Plan shows this property as Industrial. (F 25)

TOPOGRAPHY:

This land is generally level across the property.

TRAFFIC ANALYSIS:

US Highway 6 and 84th Street are both classified as Principal Arterials now and in the future. (E 49, F103).

Principal Arterials: This functional class of street serves the major portion of through-traffic entering and leaving the urban area and is designed to carry the highest traffic volumes. These serve intra-area traffic such as between the CBD and outlying residential areas and traffic between major inner-city communities or suburban centers. Included in this class are fully controlled access facilities and partially controlled access facilities. The principal arterial system is stratified into the following two subsystems:

Other Principal Arterials: This functional class of street serves the major portion of intercommunity and intracommunity traffic movement within the urban area and is designed to carry high traffic volumes. For other principal arterials, the concept of service to abutting land is subordinate to serving major traffic movements. Facilities within this classification are capable of providing direct access to adjacent land but such service is to be incidental to the primary functional responsibility of moving traffic within this system. (F102)

ANALYSIS:

1. This is an application for a permit to erect a 100' tall flag pole, on property generally located at the southeast corner of North 84th Street and US Highway 6. A convenience food store/service station exists on site, as well as a parking area serving a warehouse built on an adjacent lot. This special permit request is to allow a 100' flag pole to be located southeast of the store.

2. The 75' height limit of the I-1 district can be exceeded with an approved special permit pursuant to LMC §27.63.250. Chapter 3.25 of the City of Lincoln Design Standards is also applicable.
3. This site is not located within an established Capitol View Corridor. However, in addition to the Capitol View Corridor regulations, §3.25 of the Design Standards also prohibits an adverse impact on views of the Capitol Building Tower, nearby property, or neighborhood character.
4. Views of the Capitol Building Tower from two of the locations specified in the Design Standards are potentially impacted by this application. These are Interstate 80 generally, and the intersection of Interstate 80 and US Highway 6.
5. This application does not appear to adversely impact nearby property or neighborhood character.
6. There is no fall zone specified in the LMC for flag poles, however, §27.68 (Wireless Facilities) specifies a setback equal to one half of the height of the wireless facility to provide an adequate fall zone for falling debris or collapsing material. Using this standard as a guideline, this flag pole has a fall zone that is more than 50' from any property line.
7. Pursuant to LMC §27.71.020, mechanical appurtenances placed on top of buildings may exceed the height limit of the district by 20'. Therefore, the potential combined height of buildings and mechanical appurtenances can reach 95' in height. Therefore, this application is only 5' higher and consistent with the potential maximum height allowed in the I-1 district.
8. The flag pole appears to be located within the floodway of Stevens Creek. If so, a no-rise certificate is required and must be obtained from the Building and Safety Department.
9. Flags do not constitute an approved projection into a required yard. This flag appears to be located outside of the required 15' front yard. There are no required side or rear yards in the I-1 district.
10. The Lincoln Electric System has responded with concerns regarding possible deflection of the pole, resulting in a flag intrusion into their easement. LES has requested additional information. Their comments are attached.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Submit documentation for the approval of Lincoln Electric System, indicating the deflection of the flag pole used, and whether or not the flag will intrude into the LES easement.
2. This approval permits a 100' tall flag pole.

General:

3. Before receiving building permits:
 - 3.1 The construction plans shall comply with the approved plans.
 - 3.2 A no-rise certificate shall be obtained from the Building and Safety Department.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.2 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.3 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Greg Czaplewski
Planner

Date: May 23, 2003

Applicant: Gerald McCracken
7510 N. Hampton Rd.
Lincoln, NE 68516
488.1426

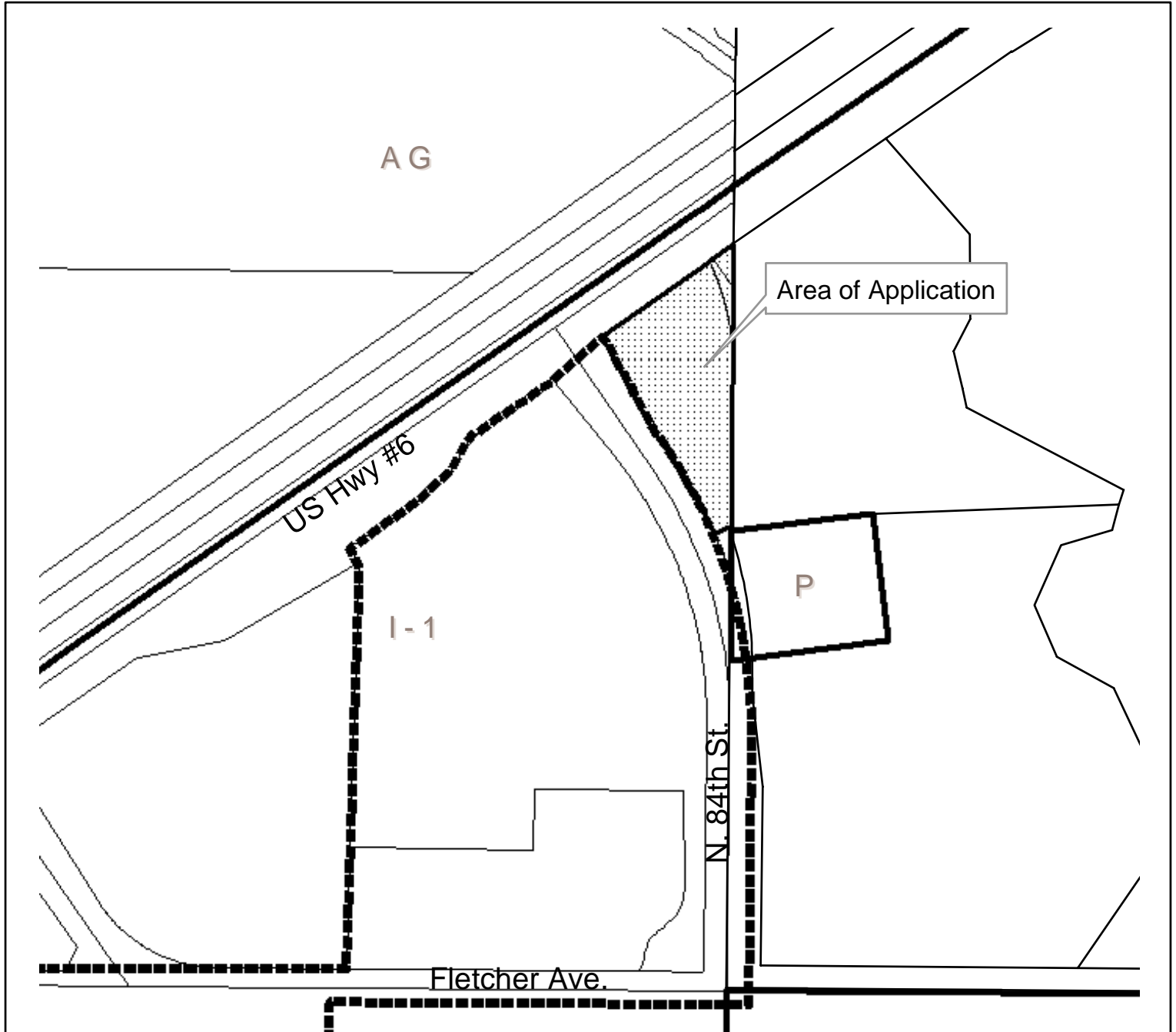
Owner: M. E. Whitehead
2537 Randolph Street
Lincoln, NE 68510
435.3509

Contact: Same as Applicant



Special Permit #2018 N. 84th & Hwy #6



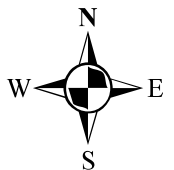
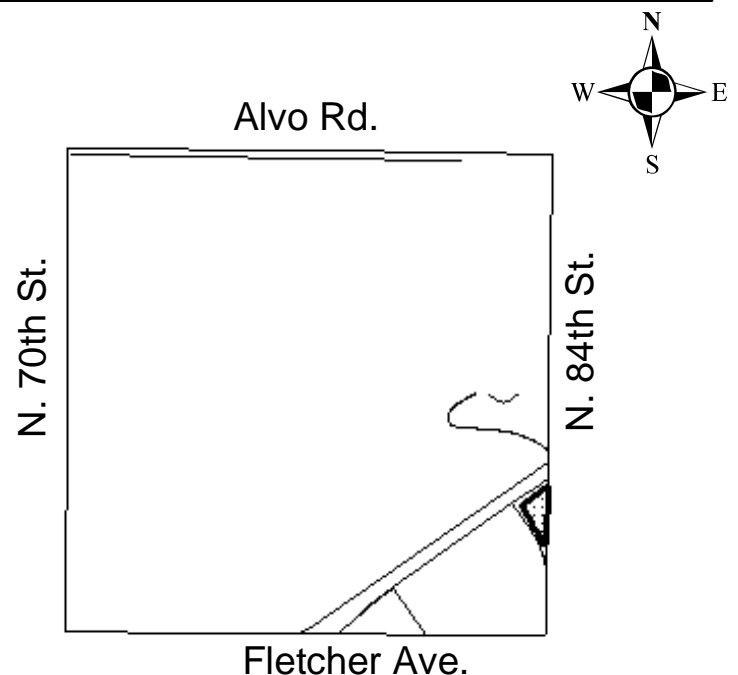
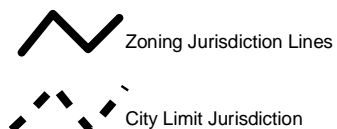


Special Permit #2018 N. 84th & Hwy #6

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 34 T11N R7E



LOT 45 32.45 | Ac.

DEED BOOK #644, Pg.198
DEED BOOK #686, Pg.631
DEED BOOK #686, Pg.633

#74-3268
#74-4049
#74-4061
#74-4062
#74-11308
#74-11311
#74-11312
#74-11313
#74-11314
#60-25116
#60-25117
#69-8771
#69-14109
#66-58336

LOT 34 10.01 | Ac.

#64-43860

LOT 23 2.40 Ac.

LOT 19 2.00 | Ac.

#75-1475
#76-3239

LOT 46 15.29 | Ac.

DEED BOOK #258, Pg.609
DEED BOOK #651, Pg.466

#74-10110
#74-11111
#74-11112
#74-11113
#63-18627
#64-43860
#66-25358
#69-8783
#69-8784

RECEIVED

MAY 13 2003

MILFORD CRYLANCASTER CO.
PLANNING DEPARTMENT

T = 805.98
L = 559.98
F = 287.81
D = 35-15-47

327.41

D.

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L = 100.83
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D = 57-49-23

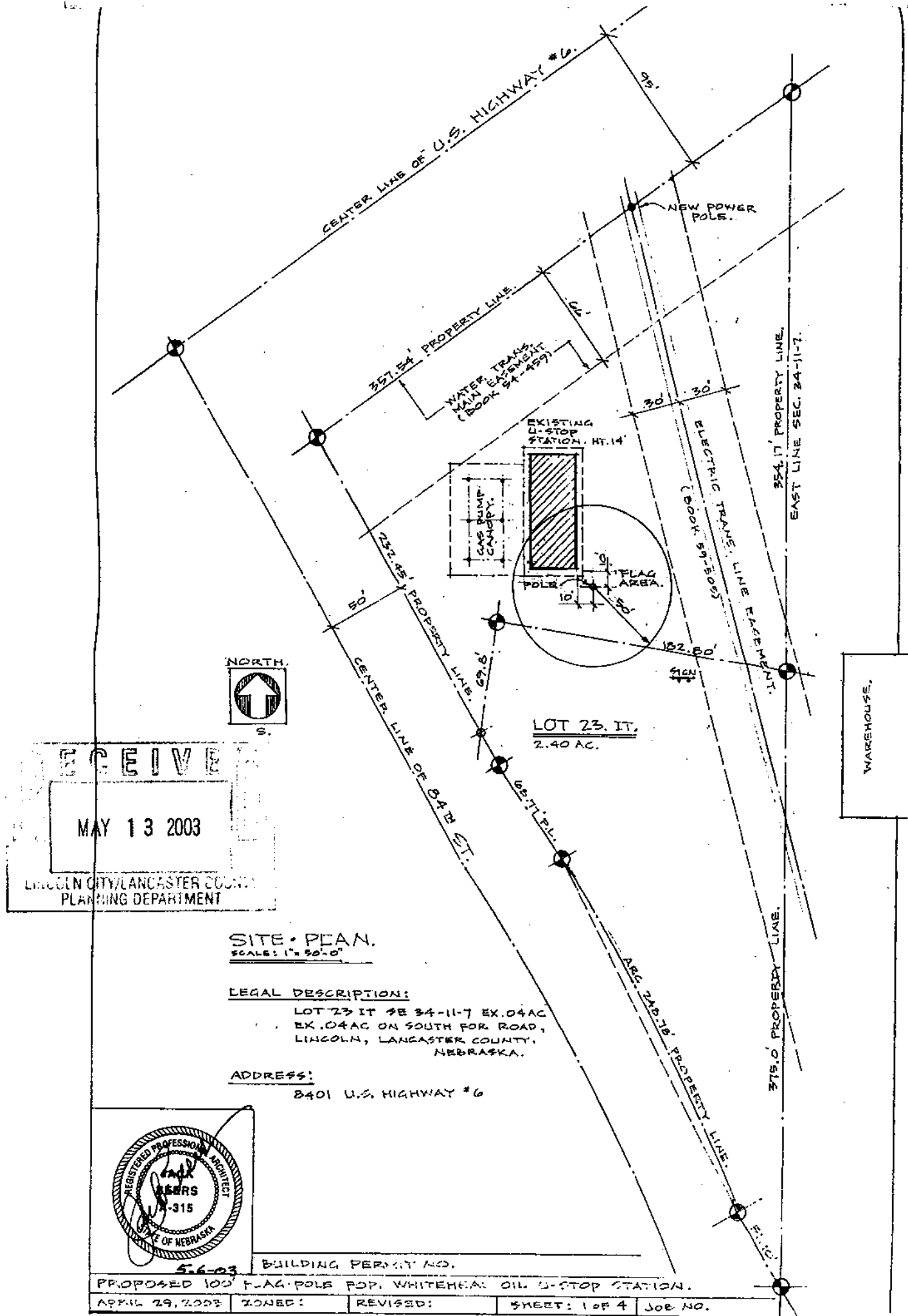
SEC. 101 UN-FOUR
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FLETCHER AV.

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450.21

2806



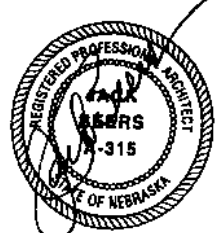
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PLANNING DEPARTMENT



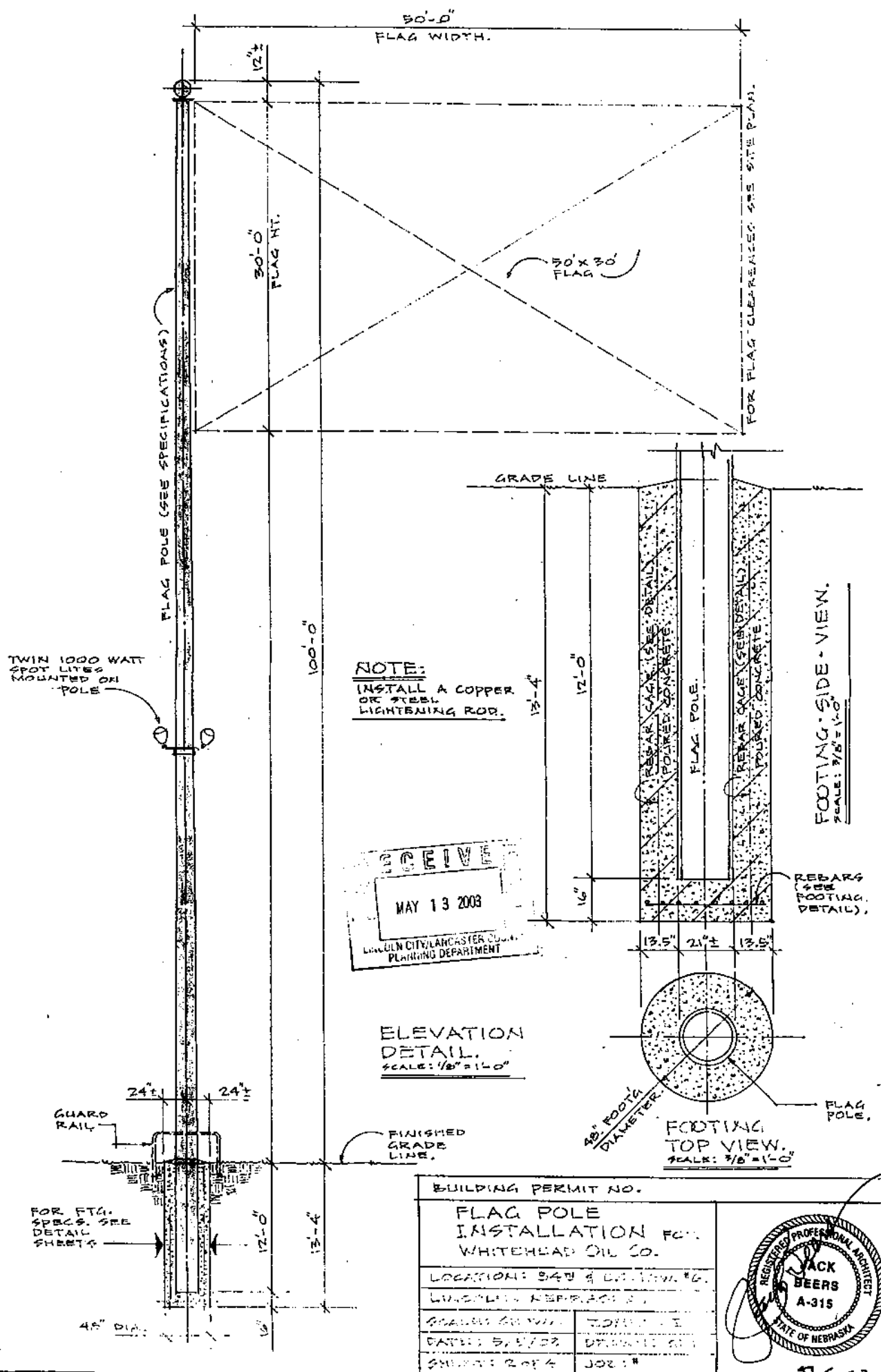
SITE PLAN.
SCALE: 1" = 50'-0"

LEGAL DESCRIPTION:
LOT 23 IT #E 34-11-7 EX.04AC
EX.04AC ON SOUTH FOR ROAD,
LINCOLN, LANCASTER COUNTY,
NEBRASKA.

ADDRESS:
8401 U.S. HIGHWAY #6



BUILDING PERMIT NO. 56-03
PROPOSED 100' FLAG POLE FOR WHITEHEAD OIL U-STOP STATION.
APRIL 29, 2003 ZONED: REVISED: SHEET: 1 OF 4 JOB NO.





STheobald@les.com

05/30/2003 12:03 PM

To: gczaplewski@ci.lincoln.ne.us
cc: SHanks@les.com, BGardner@les.com
Subject: Special Permit No. 2018 U-Stop, 8401 Hwy #6

Greg....

RE: Flag Pole Installation for Whitehead Oil Company

This is to advise we do not have sufficient information to ascertain if this will be a hazard to the 115kV Transmission Line that exists across this property. It would be necessary to review the specifications for the structure to determine if there would be a conflict.

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